Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name:	**Alcatel Magnet Wire, Inc.**
	(formerly CW Magnet Wire Co.)
Mailing Address:	**2615 East Highway 146**
	LaGrange, Kentucky 40031
Source Name:	**see above**
Mailing Address:	**see above**
Source Location:	**see above**
Permit Type:	**Federally-enforceable**
Review Type:	**Title V**
Permit Number:	**V-98-013**
Log Number:	**E803**
Application Complete Date:	**January 26, 1997**
KYEIS ID #:	**104-3100-0004**
AFS Plant ID #:	**21-185-00004**
SIC Code:	**3357**
Region:	**North Central**
County:	**Oldham**
Issuance Date:	**July 14, 1999**
Expiration Date:	**July 24, 2004**

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on January 26, 1997, the Kentucky Division for Air Quality hereby authorizes the construction of a regenerative thermal oxidizer (RTO) and the operation of the equipment described herein in accordance with the terms and conditions on this permit. This draft permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Points	Affected Facilities Description
10 (870, 940)	Enamel bulk holding system consisting of: 5-14,382 gallon enamel holding tanks installed 1966 No controls Plant equipment cleaning: consisting of: 1-300 gallon cresylic acid holding tank installed 1966 other tanks which are not subject to regulation are as follows: 5-3,000 gallon tanks for enamel storage The control device for the plant cleaning equipment tanks is the Salem Englehard/Pinchin Environmental RTO (regenerative thermal oxidizer, Model No. RR-20-3V) - assumed 99% overall control efficiency of VOC emissions

APPLICABLE REGULATIONS: NA

1. **Operating Limitations:** NA
2. **Emission Limitations:** NA
3. **Testing Requirements:** See Section D
4. **Specific Monitoring Requirements:** NA
5. **Specific Record Keeping Requirements:** NA
6. **Specific Reporting Requirements:** NA
7. **Specific Control Equipment Operating Conditions:** NA
8. **Alternate Operating Scenarios:** NA

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

Emission Points	Affected Facilities Description
1 (410, 411)	Two shaped-wire MOCO enameling machines Rated capacity of 23.8 lbs/hr enamel usage at continuous operation for each machine Both installed 1981
7 (491, 492)	Two aluminum enameling machines Rated capacity of 53.2 lbs/hr enamel usage at continuous operation for each machine installed 1993
3 (441, 442, 443)	Three MOCO round wire enameling machines - not subject to 401 KAR 59:190 Rated capacity is 54.5 lbs/hr enamel usage at continuous operation for each machine installed 1966 Control device for these seven (7) machines: Salem Englehard/Pinchin Environmental RTO (regenerative thermal oxidizer, Model No. RR-20-3V) - assumed 99% overall control efficiency of VOC emissions

Applicable Regulations: 401 KAR 59:190, New insulation of magnet wire operations, applicable to affected facilities which commenced operation on or after June 29, 1979.

1. Operating Limitations:

Equipment and controls shall be operated in such manner as to ensure compliance with the emission limitations in Section B2 below.

2. Emission Limitations:

Permittee shall keep records as required by regulation 401 KAR 59:190, Section 4(8). The combustion chamber temperature of the control equipment shall be recorded continuously on chart recorders. The records shall be made readily available for inspection.
Additionally, records shall be maintained of each occurrence where the combustion chamber temperature falls 50°F or more below 1,300°F or the alternate 3-hour average temperature as determined during the most recent stack test. All such occurences shall trigger corrective action and shall be considered deviations from permit requirements. See Section F6b. Also, the corrective action(s) taken shall be recorded. If any such temperature deviation continues for more than one (1) hour, the solvent load (enamel load) shall be removed until any problems are corrected.

Compliance demonstration method: Compliance for each affected facility with VOC emission limits shall be based on an averaging period not to exceed 24 hours. The following demonstrates how compliance with the allowables are to be demonstrated.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

This calculation must be performed for the VOC part in the enamel coating.

Controlled lbs/hour VOC emissions = VOC used* X (1-overall control efficiency) [(overall control efficiency = destruction efficiency X capture efficiency (expressed as a decimal)]

* - summation over 24 hours of each coating used (in pounds) X its respective VOC percentage

Regulatory allowable calculation: From Section 3 of regulation 59:190, it is stated that no more than 15% by weight of the VOCs net input shall be allowed to be discharged into the atmosphere.

lb/hr/machine enamel usage rate X percentage VOC for the worse-case enameling coating X 0.15 (only 15% of the net VOC input can be emitted as stated in the regulation) = hourly allowable for VOC in pounds per hour.

3. Specific Testing Requirements: See Section D

4. Specific Monitoring Requirements:

In order to demonstrate continuous compliance with the combustion chamber temperature of the control equipment shall be monitored continuously (that is, the recording devices associated with the RTO shall monitor and update the combustion chamber screen every five minutes).

5. Specific Record Keeping Requirements:

Permittee shall keep records as required by regulation 401 KAR 59:190, Section 4(8). The combustion chamber temperature of the control equipment shall be recorded continuously on chart recorders. The records shall be made readily available for inspection. Additionally, records shall be maintained of each occurrence where the combustion chamber temperature falls 50°F or more below 1,300°F or the alternate temperature as determined during the most recent stack test (3-hour average). All such occurences shall be considered deviations from permit requirements. See Section F6b. Also, the corrective action(s) taken shall be recorded. If any such temperature deviation continues for more than one (1) hour, the machines shall be shut down until any problems are corrected.

6. Specific Reporting Requirements: NA

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

7. **Specific Control Equipment Operating Conditions:**

These seven enameling machines (#'s 410, 411, 441, 442, 443, 491 and 492) use thermal incineration as the control method for the VOC from these points. Interlocks shall be used to prevent operation of these machines without prior activation of the incinerator. Additionally, alarms shall continue to be used on the incinerator to assure that it is operating above the required temperature of 705 degrees Celsius (1,300 degrees F) or alternate temperature determined during the most recent stack test based on a three hour average.

8. **Alternate Operating Scenarios:** NA

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Points	Affected Facilities Description
4 (460, 461 462, 463)	Four SICME horizontal enameling machines Rated capacity is 23.6 lbs/hr enamel usage at continuous operation for each machine installed 1992 control device: internal catalyst-assumed 98% overall control efficiency of VOC emissions for each machine
5 (471)	One Aumann enameling machine Rated capacity is 19.0 lbs/hr enamel usage at continuous operation installed 1992 control device: internal catalyst-assumed 90% overall control efficiency of VOC emissions
6 (480, 481)	Two SICME vertical enameling machines Rated capacity is 24.5 lbs/hr enamel usage at continuous operation for each machine installed 1992 control device: internal catalyst-assumed 98% overall control efficiency of VOC emissions for each machine
8 (500)	Three wrapping round and shaped machines installed 1990
12 (452)	One SICME SEL enameling machine Rated capacity is 30.2 lbs/hr enamel usage at continuous operation installed 1997 control device: internal catalyst-assumed 98% overall control efficiency of VOC emissions
13 (470)	One MAG wire enameling machine Rated capacity is 17.5 lbs/hr enamel usage at continuous operation installed 1997 control device: internal catalyst-assumed 90.25% overall control efficiency of VOC emissions
14 (451)	One SICME SEL enameling machine Rated capacity is 34.3 lbs/hr enamel usage at continuous operation installed 1998 control device: internal catalyst-assumed 98.0% overall control efficiency of VOC emissions

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Points	**Affected Facilities Description**		
15 (-)	Cleanup/thinning solvent usage-facility-wide:		
	no controls	cresylic/naptha	3,000 gallons/year
		NMP/xylene	2,000 gallons/year
		xylene	700 gallons/year
		cresylic acid	500 gallons/year

16 (464, 465) Two enameling machines with associated electric ovens
(MAGHZ4#70084AOD-001 and MAGHZ4#70084AOD-002**)**
Rated capacity is 5.40 lbs/hr enamel usage at continuous operation for each enameling machine
installed 1999
control device: internal catalyst-assumed 98.0% overall control efficiency of VOC emissions

Applicable Regulations:
401 KAR 59:190, New insulation of magnet wire operations, applicable to affected facilities which commenced operation on or after June 29, 1979.
(these general conditions apply to all the above emission points except for emission point 15)

1. Operating Limitations:
Equipment and controls shall be operated in such manner as to ensure compliance with the emission limitations in Section B2 below.

2. Emission Limitations:
401 KAR 59:190, Section 3 states that no person shall cause, allow or permit an affected facility to discharge into the atmosphere more than 15 percent by weight of the VOC net input into the affected facility. The VOC emissions from these affected facilities shall not exceed 3.19 lbs/hr each for the enameling machines at emission point 4 (460, 461, 462, and 463), and 2.57 lbs/hr for the enameling machine at emission point 5 (471), and 3.31 lbs/hr each for the enameling machines at emission point 6 (480, 481), and 1.85 lbs/hr for the enameling machine at emission point 12 (452), and 2.47 lbs/hr for the enameling machine at emission point 14 (451), and 2.37 lbs/hr for the enameling machine at emission point 13 (470) and 1.13 lb/hr for each enameling machine at emission point 16 (464, 465) as discussed in Section 3 of this regulation.

Compliance demonstration method: Compliance for each affected facility with VOC emission limits shall be based on an averaging period not to exceed 24 hours. The following demonstrates how compliance with the allowables are to be demonstrated.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

This calculation must be performed for the VOC part in the enamel coating.

Controlled lbs/hour VOC emissions = VOC used* X (1-overall control efficiency) [(overall control efficiency = destruction efficiency X capture efficiency (expressed as a decimal)]

* - summation over 24 hours of each coating used (in pounds) X its respective VOC percentage

Regulatory allowable calculation: From Section 3 of regulation 59:190, it is stated that no more than 15% by weight of the VOCs net input shall be allowed to be discharged into the atmosphere.

lb/hr/machine enamel usage rate X percentage VOC for the worse-case enameling coating X 0.15 (only 15% of the net VOC input can be emitted as stated in the regulation) = hourly allowable for VOC in pounds per hour.

3. Testing Requirements: See Section D

4. Specific Monitoring Requirements:

In order to demonstrate continuous compliance the inlet and outlet temperatures of the control equipment shall be monitored continuously.

5. Specific Record Keeping Requirements:

Permittee shall keep records as required by regulation 401 KAR 59:190, Section 4(8). The inlet and outlet temperatures of the control equipment shall be recorded continuously on chart recorders and the records shall be made readily available for inspection.

Additionally, records shall be maintained of each occurrence where the minimum catalyst inlet and maximum outlet temperatures falls 50°F or more below values specified at Emission Points 15 and 16 (Section B7) of this permit, or the alternate 3-hour average temperatures as determined during the most recent stack test.Records shall also be kept of all 3-hour periods during which the difference when subtracting the catalyst inlet from the catalyst outlet temperature (delta T) is less than 80% of the delta T established during the most recent stack test. All such occurences shall trigger corrective action and shall be considered deviations from permit requirements. See Section F6b. Also, corrective action(s) taken shall be recorded. If any such temperature deviation continues for more than one (1) hour, the machines shall be shut down until any problems are corrected.

6. Specific Reporting Requirements: NA

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

7. **Specific Control Equipment Operating Conditions:**

The enameling machines (#'s 451, 452, 460, 461, 462, 463, 464, 465, 470, 471, 480 and 481) use catalytic incineration as the control method for the VOC from these points. Process conditions shall be maintained such that the maximum outlet catalyst temperature range shall be 1,301-1450°F regardless of the product being run. Additionally, alarms shall be continued to be used on the incinerators to assure they are operating above the required minimum inlet combustion temperature of 600°F, or alternate temperature determined during the most recent stack test based on a 3-hour average. A positive temperature difference (delta T) between the catalyst inlet and the outlet temperatures of at least 80% of that established during the most recent stack test shall be maintained.

8. **Alternate Operating Scenarios:** NA

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Points	Affected Facilities Description
9 (710)	Plant heating system consisting of: five natural gas-fired air makeup units 3 @ 3.780 million BTU/hr each (Model CFAM-230) 1 @ 2.734 million BTU/hr (Model DCM-225) 1 @ 1.139 million BTU/hr (Model CFA-20) installed 1992 no controls

APPLICABLE REGULATIONS: NA

1. **Operating Limitations:** NA
2. **Emission Limitations:** NA
3. **Testing Requirements:** NA
4. **Specific Monitoring Requirements:** NA
5. **Specific Record Keeping Requirements:** NA
6. **Specific Reporting Requirements:** NA
7. **Specific Control Equipment Operating Conditions:** NA
8. **Alternate Operating Scenarios:** NA

SECTION B (CONTINUED)

GROUP Requirements

Each catalyst regeneration (enameling machine #'s 451, 452, 460, 461, 462, 463, 464, 465, 471, 480 and 481) shall be documented by written records.

Engineering and maintenance records shall be available to authorized representatives of the Cabinet for review at reasonable times on any item of the plant via the maintenance repair networking system.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Description	Generally Applicable Regulation
Ten wire drawing machines: 2 Samps (#'s 110, 290) 2 Vaughns (#'s 120, 190) 2 Syncros (#'s 150, 160) and 4 Herbornes (#'s 251, 252, 253, 254)	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. Volatile organic compound emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

2. Alcatel shall show compliance of the affected facilities 401 KAR 59:190, Section 3, by a material balance. If a material balance is not possible, compliance shall be determined based upon an engineering analysis by the cabinet of the control system design, control device efficiency, control system capture efficiency and any other factors that may influence the performance of the system. The division is requesting performance tests to determine the efficiency of the control devices. Also, during the performance tests the inlet and outlet temperatures of catalytically controlled ovens and combustion chamber temperatures of thermally-controlled units shall be continuously monitored. One of each of the different types of enameling machines shall be tested to show compliance with the requirements in regulation 401 KAR 59:190 and any associated requirements found in supporting regulations. Compliance shall be demonstrated within 6 months following the permit issuance date and again within 6 months prior to the permit expiration date, which is five years from the permit issuance date.

SECTION E - CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating procedures, and inspection of the source.

2. Periodic regeneration and/or replacement of any catalyst where the delta T has experienced a temperature deviation for more than one (1) hour under normal operating conditions as outlined in Section B5 (emission points 15 and 16) of this permit shall be performed every six months (or earlier if warranted by performance) to ensure destruction of the VOC emissions on the machines (#’s 451, 452, 460, 461, 462, 463, 464, 465, 470, 471, 480 and 481).

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a) Date, place as defined in this permit, and time of sampling or measurements.
   b) Analyses performance dates;
   c) Company or entity that performed analyses;
   d) Analytical techniques or methods used;
   e) Analyses results; and
   f) Operating conditions during time of sampling or measurement;

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained at the source authorized by this permit for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.

3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
   a) Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
   b) Have access to and copy, at reasonable times, any records required by the permit:
      i) During normal office hours, and
      ii) During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
   c) Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
      i) During all hours of operation at the source,
      ii) For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
      iii) During an emergency; and
   d) Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
      i) During all hours of operation at the source,
      ii) For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
      iii) During an emergency.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Records of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be reported to the division's Frankfort Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. The permittee may shift to semi-annual reporting on a calendar year basis upon approval of the regional office. If the calendar year reporting is approved, the semi-annual reports are due January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of Regulation 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.

6. a) In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Frankfort Regional Office concerning startups, shutdowns, or malfunctions as follows:
   1) When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   2) When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.

   b) In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the division for Air Quality's Frankfort Regional Office within 30 days. Other deviations from permit requirements shall be included in the semi-annual report required by general condition F.5.

7. Pursuant to Regulation 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office, by completing and returning a Compliance Certification Form (DEP 7007CC) or an approved alternative to the Division for Air Quality's Frankfort Regional Office and the U.S. EPA in accordance with the following requirements:

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

a) Identification of each term or condition of the permit that is the basis of the certification;
b) The compliance status regarding each term or condition of the permit;
c) Whether compliance was continuous or intermittent; and
d) The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c), (d), and (e).
e) The certification shall be postmarked by the thirtieth (30th) day following the applicable permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, Kentucky 40601

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth Street
Atlanta, Georgia 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, Kentucky 40601

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission report is mailed to the permittee.

9. Pursuant to Section VII.3 of the policy amnual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and is for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.

2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.

3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
   b) The Cabinet or the U. S. E. P. A. determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c) The Cabinet or the U. S. E. P. A. determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

   Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit.

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance.

8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.

9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6).

10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance.

11. This permit shall not convey property rights or exclusive privileges.

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.

13. Nothing in this permit shall alter or affect the authority of U. S. E. P. A. to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

14. Nothing in this permit shall alter or affect the authority of U. S. E. P. A. to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

15. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.

16. Each thermal incinerator shall be operated at a minimum temperature of 1300°F with a minimum residence time of 0.5 seconds.

17. All previously issued construction and operating permits are hereby null and void.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division.

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Construction, Start-up, and Initial Compliance Demonstration Requirements

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

2. Within thirty (30) days following commencement of construction, and within fifteen (15) days following start-up, and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Frankfort Regional Office in writing, with a copy to the division's Frankfort Central Office, notification of the following:
   a. The date when construction commenced.
   b. The date of start-up of the affected facilities listed in this permit.
   c. The date when the maximum production rate specified in the permit application was achieved.

SECTION G - GENERAL CONDITIONS (CONTINUED)

3. Pursuant to State Regulation 401 KAR 50:035, Permits, Section 13(1), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or if construction is not completed within eighteen (18) months of the scheduled completion date, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Extensions of the time periods specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.

4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.

5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance test on the affected facilities in accordance with Regulation 401 KAR 50:055, General compliance requirements. These performance tests must also be conducted in accordance with General Conditions G(d)6 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test.

6. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   i) An emergency occurred and the permittee can identify the cause of the emergency;
   ii) The permitted facility was at the time being properly operated;
   iii) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
   iv) The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.

2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.

3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof.

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
   RMP Reporting Center
   P.O. Box 3346
   Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information by the division or the U.S. EPA.

(h) Ozone-depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.

SECTION G - GENERAL CONDITIONS (CONTINUED)

1. c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.

   d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.

   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.

   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

(i) Other general requirements

1. Emissions of odorous pollutants shall not cause the standard set forth in Regulation 401 KAR 53:010, Ambient air quality standards, to be exceeded outside the property boundary. Furthermore, there shall be no detectable odor when one volume unit of ambient air is diluted within seven volume units of odorless air.

2. Pertaining to the control of potentially hazardous matter and toxic substances. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants.

SECTION H - ALTERNATE OPERATING SCENARIOS

NA

SECTION I - COMPLIANCE SCHEDULE

NA